

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>In Re:</b>	:	
	:	
<b>Akin Lackey,</b>		<b>BK. No. 18-12518 -ELF</b>
<b>Debtor</b>	:	<b>Chapter 13</b>
<b>GMAC Mortgage,</b>		
<b>Movant</b>	:	
<b>vs.</b>		
<b>Akin Lackey</b>	:	
<b>William C. Miller, Esquire,</b>		
<b>Trustee</b>	:	

**Debtor Akin Lackey's Response to the Motion of Ditech Financial, LC  
for Relief from the Automatic Stay Pursuant to Section 362 of the Bankruptcy Code**

And Now comes the Debtor, Akin Lackey's Response to the Motion for Relief from the Automatic Stay filed by the Creditor Ditech Financial, LLC, prays your Honorable Court as follows:

1. Denied. After reasonable investigation, the Debtor is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this paragraph.
2. Admitted.
3. Denied. After reasonable investigation, the Debtor is without knowledge or information sufficient to form a belief as to the truth of the averments contained in this paragraph.
4. Admitted.
5. Denied. It is denied that the Debtor has failed to tender the monthly payments in a manner consistent with the terms of the Mortgage and Note and denied that they result in a lack of adequate protection.
5. Denied. It is specifically denied that the Debtor failed to make the monthly post-petition payments in the amount of \$1,649.47 for the months of August 2018 through October 2018, as alleged.

6. Denied.

7. There is no paragraph 7.

8. Denied. It is specifically denied that the Debtor owes \$4,847.35 plus Attorneys fees and costs to reinstate loan post petition. Strict proof to the contrary is demanded at Trial.

9. Denied. To the contrary, the Debtor is not delinquent in his plan payments to the Trustee.

10. Denied.

11. Denied. Strict proof to the contrary is demanded at Trial.

10. Denied. To the contrary, Rule 4001 (a)(3) should be applicable and no such relief requested by the creditor should be granted.

Wherefore, the Debtor respectfully requests that the Court deny the following:

(a) deny the Movant any relief from the automatic stay provisions under Sections 362 with respect to the Mortgaged premises and deny the Movant any right to foreclose on the its Mortgage and to deny the Movant or any other purchaser at a Sheriff's ale to take any legal action with respect to the mortgaged premises.

(b) Rule 4003 (a)(3) is applicable to any relief requested by the Movant Ditech Financial, LLC or it's successor or assigns.

(c) deny another relief contrary to the interests of the Debtor.

**Respectfully Submitted:**

/s/ Vaughn A. Booker, Esquire  
**Vaughn A. Booker, Esquire**  
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**Attorney for Debtor,**  
**Akin Lackey**

**Dated: October 26, 2018**

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<b>Akin Lackey</b>	:	
<b>William C. Miller, Esquire,</b>		
<b>Trustee</b>	:	

**ORDER**

And Now to wit, this       day of       , 2018 and based upon the within Response of the Debtor Akin Lackey to the Motion for Relief from the Stay of the Creditor DiTech Financial, LLC, it is Hereby Ordered and Decreed that the Motion is Denied.

**By the Court:**

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**J.**